

Customer No.: 31561
Docket No.: 12668-US-PA
Application No.: 10/709,333

REMARKS

Present Status of the Application

Claims 1-34 are pending of which the claims 1, 13, 14 and 26 have been amended and the claims 3 and 15 without prejudice or disclaimer in order to more explicitly describe the claimed invention. It is believed that no new matter is introduced in the amended claims. Applicant respectfully traverses the preceding rejection based on the following arguments. For at least the foregoing reasons, applicants respectfully submit that claims 1-2, 4-14 and 16-34 patently define over prior art of record and reconsideration of this application is respectfully requested.

Discussion for rejection to claims under 35 U. S. C. 102(e)

Claims 1-3, 8-15, 21-25 and 30-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Greenberg (US Publication No. 2003/0083577).

In response thereto, applicants respectfully traverses the preceding rejection based on the following arguments. First of all, to establish a prima facie case of anticipation, the cited reference (i.e. Greenberg) should teach all claim limitations.

The amended claims 1 and 13 are partly recited as follows:

1. A method for adjusting images, suitable for adjusting a video device with a

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voice-assisted system, said video device providing an on-screen display function,

said method comprising:

identifying said voice command as one of a specific command and a fuzzy

command based on said voice signal, wherein said fuzzy command performs a

plurality of adjustment actions corresponding to said voice command, and if

the adjusted image does not meet a user's expectation, the adjusted image is

further modified based on the performed adjustment actions.

In page 3, lines 1-2 of the OFFICE ACTION, the Examiner alleged that in paragraph [0036] lines 19-24, in Greenberg, the command "use equation A to calculate birth weight" is identical to claimed "fuzzy command." However, this command triggers ultrasound review system to perform requested calculations and place result into particular section of an ultrasound examination report (see paragraph [0036] lines 20-24). By contrast, the claimed fuzzy command performs a plurality of **adjustment actions** corresponding to said voice command to obtain an adjusted image, and if the adjusted image does not meet a user's expectation, the adjusted image is further modified based on the performed adjustment actions. Thus, the command "use equation A to calculate birth weight," as disclosed in Greenberg, is not identical to claimed "fuzzy command." This is because this command is not associated with claimed "**adjustment actions**" for acquiring an adjusted image but

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with calculations (or referred to as operations), and thus, in Greenberg, it is not necessary to determine whether the displayed image meets a user's expectation. Hence, Greenberg fail to teach, suggest or disclose "said fuzzy command performs a plurality of adjustment actions corresponding to said voice command, and if the adjusted image does not meet a user's expectation, the adjusted image is further modified based on the performed adjustment actions," as claimed in amended claims 1 and 13. In other words, the amended claims 1 and 13 are not anticipated by Greenberg and thus patentable.

Regarding dependent claims 2, 8-12, 14, 21-25, they should be patentable for the reason that they contain all limitations of their respective patentable base claims 1 and 13.

Discussion for objection to claims under 35 U. S. C. 103(a)

4. Claims 4-7, 16-20 and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greenberg (US Publication No.2003/0083577) in view of Dominach (U.S. Publication No. 2004/0172258).

In response thereto, applicant respectfully traverses the preceding rejections based on the following arguments. To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of

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ordinary skill in the art, to modify the references or to combine references teachings.

Second, there must be a reasonable expectation of success. Finally, the prior art references (i.e. Greenberg and Dominach) must teach or suggest all the claim limitations.

By applying the aforementioned arguments, since Greenberg fails to disclose claimed "fuzzy command" and the limitation "if the adjusted image does not meet a user's expectation, the adjusted image is further modified based on the performed adjustment actions," as claimed in claim 26, even if Greenberg and Dominach could be combined, this combination still fails to disclose the above underlined feature of claim 26. In other words, this combination fails to disclose all limitations of claim 26. Thus, claim 26 is patentable because a prima facie case of obviousness is not well established. Accordingly, regarding dependent claims 27-34, they should be patentable for the reason that they contain all limitations of their patentable base claim 26.

Regarding claims 4-7, 16-20, they should be patentable as a matter of law for the reason they contain all limitations of their patentable base claims 1 and 13 even Dominach discloses similar term, "confidence measure" as claimed in these dependent claims.

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CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-2, 4-14 and 16-34 of the present application patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

Date :

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